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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,327	06/12/2001	David Arthur Stephenson	10013048-1	5780

7590 04/21/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80627-2400

EXAMINER

INGBERG, TODD D

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 04/21/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Requirement For Information - 37 USC § 1.105

1. Applicant and Assignee of this application are required under 37 CFR 1.105 to provide the following that the Examiner has determined is reasonably necessary to the examination of this application.

2. The Assignee (HP®) and **inventors appear to have been in possession of the Open Source standard ARM prior to the invention.**

The Examiner has attempted to locate a copy of the standard which appears to be the enabling technology for the invention from the time the inventors would have needed to know what they were developing the code (Appendix A). The Examiner used the link on page 2 of the Specification and it failed as a broken link. All copies of the Standard the Examiner was able to locate were too new to have been in the possession of the developers. The Examiner is requesting a copy of the ARM standard the developers **had in their possession**. One of ordinary skill in the art would need to know what they are writing an instrumentation program to as in data structures programs etc.

This requirement is made with the intent to assist in the prosecution of this case. The Examiner feels the scope of this requirement is narrow and should be well within the abilities of the concerned parties to provide this information.

The information is required to identify the ARM standard from the disclosed subject matter of instrumenting software as disclosed in the invention.

Where applicant does not have or cannot have readily obtained items of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

The fee and certification requirements of 37 § C.F.R. 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 § C.F.R. 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communications responding to this requirement and any information disclosures beyond the scope of this requirement under 37 § C.F.R. 1.105 are subject to the fee and certification requirement of 37 § C.F.R. 1.97

This requirement is subject to the provisions of 37 C.F.R. 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Correspondence Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Todd Ingberg** whose telephone number is (703) 305-9775. The examiner can normally be reached during the following hours:

Monday	Tuesday	Wednesday	Thursday	Friday
6:15 – 1:30	6:15- 3:45	6:15 – 4:45	6:15-3:45	6:15-130

This schedule began December 1, 2003 and is subject to change.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kakali Chaki** can be reached on (703) 305-9662. Please, note that as of August 4,

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2003 the **FAX number** changed for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Also, be advised the United States Patent Office **new address** is


Post Office Box 1450

Alexandria, Virginia 22313-1450

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9700.

Kakali Chaki

KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100


Todd Ingberg
Primary Examiner
Art Unit 2124
April 15, 2004